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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FAUN O'NEEL, et al.,

Plaintiffs,

v.

CITY OF FOLSOM, et al.,

Defendants.

Case No. 2:21-cv-02403-WBS-DB

**DEFENDANTS' NOTICE OF LODGING
SEALED EXHIBITS TO THE
DECLARATIONS OF JONATHAN B.
PAUL AND JENNIFER McLAREN IN
SUPPORT OF SUMMARY JUDGMENT,
OR IN THE ALTERNATIVE PARTIAL
SUMMARY JUDGMENT**

[Fed.R.Civ.Proc. 56]

Trial Date: 06/25/2024
Action Filed: 12/24/2021

NOTICE IS HEREBY GIVEN that Defendants Sacramento County, Sasha Smith, and Keryn Starkes have lodged with the above-entitled court, Pursuant to Local Rule 141(e)(2)(i), the documents approved by the above-entitled court for filing under seal, the following for all purposes, including use in Defendants' Motion for Summary Judgment, or in the Alternative Partial Summary Judgment, and if necessary, for use at trial:

1. **[To be sealed] Exhibit A**, A.T.'s juvenile dependency case file, in Sacramento County Superior Court Case No.: 241073. Said exhibit was submitted to the approved sealed email address of the court on March 28, 2024.

2. [To be sealed] **Exhibit B**, D.O.'s juvenile dependency case file, in Sacramento County Superior Court Case No.: 241074. Said exhibit was submitted to the approved sealed email address of the court on March 28, 2024.

3. [To be sealed] **Exhibit C**, A.O.'s juvenile dependency case file, in Sacramento County Superior Court Case No.: 241075. Said exhibit was submitted to the approved sealed email address of the court on March 28, 2024.

4. [To be sealed] **Exhibit D**, B.T.'s juvenile dependency case file, in Sacramento County Superior Court Case No.: 241076. Said exhibit was submitted to the approved sealed email address of the court on March 28, 2024.

5. [To be sealed] Within **Exhibit E** to the Declaration of Jonathan B. Paul, the exhibits to the deposition transcript of Defendant Keryn Starkes, taken on September 11, 2023, as follows: Exhibit 5: Warrant Applications; Exhibit 6: Safety Plan; Exhibit 24: Bates Nos. COS 7208 - 7217, December 22, 2020, Email Chain with Folsom Police Department Crime Report Attachment, Subject: 20-4265. Said exhibits were submitted to the approved sealed email address of the court on March 28, 2024.

6. [To be sealed] Within **Exhibit F** to the Declaration of Jonathan B. Paul, the exhibits to the deposition transcript of Defendant Sasha Smith, taken on September 26, 2023, as follows: Ex. 3: Detention Report and Exhibit 47: B.T. Petition. Said exhibits were submitted to the approved sealed email address of the court on March 28, 2024.

7. [To be sealed] Within **Exhibit G** to the Declaration of Jonathan B. Paul, the exhibits to the deposition transcript of Defendant Melanie Catanio, taken on September 6, 2023, as follows: Exhibit 26: Bates Nos. COS 007181 - 7183, January 6, 2021 Email Chain, Subject: Try Children. Said exhibit was submitted to the approved sealed email address of the court on March 28, 2024.

8. [To be sealed] Within **Exhibit H** to the Declaration of Jonathan B. Paul, the exhibits to the deposition transcript of Dominique Smith, taken on July 24, 2023, as follows: Ex. 2: Delivered Service Log. Said exhibit was submitted to the approved sealed email address of the court on March 28, 2024.

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1 9. **[To be sealed] Exhibit I**, the certified deposition transcript Volume I of Plaintiff D.O.,
2 taken on December 13, 2023. The excerpts of the cited portions of said exhibit were submitted to the
3 approved sealed email address of the court on March 28, 2024; the deposition transcript in its entirety
4 was mailed to the Court via overnight delivery by FedEx on March 28, 2024 **[to be sealed]**.

5 10. **[To be sealed] Exhibit J**, the certified deposition transcript of Plaintiff B.T., taken on
6 December 18, 2023. The excerpts of the cited portions of said exhibit were submitted to the approved
7 sealed email address of the court on March 28, 2024; the deposition transcript in its entirety was
8 mailed to the Court via overnight delivery by FedEx on March 28, 2024.

9 11. **[To be sealed] Exhibit K**, the certified SAFE Center interview transcript of Plaintiff
10 A.T., taken on December 30, 2020. The excerpts of the cited portions of said exhibit were submitted
11 to the approved sealed email address of the court on March 28, 2024; the transcript in its entirety was
12 mailed to the Court via overnight delivery by FedEx on March 28, 2024.

13 12. **[To be sealed] Exhibit L**, the certified SAFE Center interview transcript of Plaintiff
14 D.O., taken on December 30, 2020. The excerpts of the cited portions of said exhibit were submitted
15 to the approved sealed email address of the court on March 28, 2024; the transcript in its entirety was
16 mailed to the Court via overnight delivery by FedEx on March 28, 2024.

17 13. **[To be sealed] Exhibit M**, the certified transcript of A.O.'s statement to Officer
18 Spenser Heichlinger, taken on December 20, 2020. The excerpts of the cited portions of said exhibit
19 were submitted to the approved sealed email address of the court on March 28, 2024; the transcript
20 in its entirety was mailed to the Court via overnight delivery by FedEx on March 28, 2024.

21 14. **[To be sealed] Exhibit N**, the certified transcript of A.O.'s statement to Officer
22 Melanie Catanio, taken on December 22, 2020. The excerpts of the cited portions of said exhibit were
23 submitted to the approved sealed email address of the court on March 28, 2024; the transcript in its
24 entirety was mailed to the Court via overnight delivery by FedEx on March 28, 2024.

25 15. **[To be sealed] Exhibit O**, the audio-video taped SAFE Center interview of Plaintiffs
26 D.O. and A.T., taken on December 30, 2020, by Kandyce Seely, produced in discovery by City of
27 Folsom at Bates Stamp number COF000053. Said exhibit was submitted to the Court via courier in a
28 sealed envelope to be marked under seal on February 14, 2024.

1 16. **[To be sealed] Exhibit P**, the audio file of A.O.'s statement to Officer Spenser
2 Heichlinger, recorded on December 20, 2020, produced in discovery by City of Folsom at Bates
3 Stamp number COF000043. Said exhibit was submitted to the Court via courier in a sealed envelope
4 to be marked under seal on February 14, 2024.

5 17. **[To be sealed] Exhibit Q**, the audio file of A.O.'s statement to Officer Melanie
6 Catania, recorded on December 22, 2020, produced in discovery by City of Folsom at Bates Stamp
7 number COF000046. Said exhibit was submitted to the Court via courier in a sealed envelope to be
8 marked under seal on February 14, 2024.

9 18. **[To be sealed] Exhibit A** of Jennifer McLaren, a copy of Transcript 1-12-21_Avery
10 Try, et al. 241073-6.pdf. Said exhibit was submitted to the approved sealed email address of the court
11 on March 28, 2024.

12 19. **[To be sealed] Exhibit B** of Jennifer McLaren, a copy of Transcript 1-14-21_Avery
13 Try, et al. 241073-6.pdf. Said exhibit was submitted to the approved sealed email address of the court
14 on March 28, 2024.

15 20. **[To be sealed] Exhibit C** of Jennifer McLaren, copy of Transcript 1-21-21_Avery
16 Try, et al. 241073-6.pdf. Said exhibit was submitted to the approved sealed email address of the court
17 on March 28, 2024.

18 21. **[To be sealed] Exhibit D** of Jennifer McLaren, copy of Transcript 2-01-21_Avery
19 Try, et al. 241073-6.pdf. Said exhibit was submitted to the approved sealed email address of the court
20 on March 28, 2024.

21 DATED: March 28, 2024

RIVERA HEWITT PAUL LLP

/s/Jonathan B. Paul

JONATHAN B. PAUL
KRISTLENNE C. VICUNA
Attorneys for Defendants
COUNTY OF SACRAMENTO
and SASHA SMITH

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1 DATED: March 28, 2024

ANGELO, KILDAY & KILDUFF, LLP

2 /s/ Serena M. Warner

3 (As authorized on 03/28/24)

4
5 SERENA M. WARNER

Attorney for Defendant

6 Keryn Starkes